



# MINUTES

## S.L.O. County Subdivision Review Board

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**MEETING DATE: SEPTEMBER 12, 2005**

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MINUTES OF THE MEETING OF THE  
SAN LUIS OBISPO SUBDIVISION REVIEW BOARD  
SEPTEMBER 12, 2005

**PRESENT:** MEMBERS Laurie Salo (Environmental Health), Richard Marshall / Mike Goodwin (Public Works), Aeron Arlin-Genet (Air Pollution Control), John Nall (Planning and Building), and Chairman John Euphrat (Planning and Building).

**STAFF**

**PRESENT:** Kami Griffin, Supervising Planner, Long Range Planning  
Stephanie Fuhs, Planner, Current Planning  
Mike Conger, Planner, Current Planning  
Elizabeth Kavanaugh, Planner, Current Planning  
Josh Lebombard, Planner, Environmental, Current Planning  
Nick Forester, Planner, Current Planning  
Murry Wilson, Planner, Current Planning  
James Caruso, Planner, Current Planning  
Mike Wulkan, Planner, Current Planning

**OTHERS**

**PRESENT:** Jim Orton, County Counsel

Speaker	Note
Call to Order	
Roll Call	
PUBLIC COMMENT	No one coming forward
CONSENT AGENDA	
PUBLIC COMMENT	
Eric Greening	Speaking on Consent Item H. Discusses roads and responsibilities of Cal Trans. Requests that this project is looked at for cumulative impacts to Highway 229.

## MOTION

Thereafter on motion by Mr. Marshall, seconded by Mr. Nall, and unanimously carried the Consent Agenda is approved as noted below:

- a. **Minutes** of June 6, 2005 Subdivision Review Board meeting
- b. The **MONTEREY COUNTY WATER RESOURCES AGENCY** is requesting to authorizing the future creation of a 40 acre public lot by a conveyance without having to first obtain approval of a parcel map for the purpose of facilitating a land transfer between Monterey County Water Resources Agency (MCWRA) and a private individual in order to move a privately owned parcel from the middle to the edge of publicly owned land. The public lot meets the minimum parcel size in the Rural Lands land use category and the lot remaining in public ownership will exceed the minimum parcel size in the Open Space land use category. The proposed project is consistent with the previously adopted Negative Declaration ED04-576 for General Plan Amendment **LRP2004-00011**.
- c. **Parcel Map CO 01-0399 (S010102P)** Request from **KAY WILLIAMS/ VAUGHAN SURVEYS** for a **first time extension** for Vesting Tentative Parcel Map CO 01-0399, to subdivide an existing 228 acre parcel into two parcels of approximately 44 and 184 acres each. The project is located at 111 E. El Campo Road, on the southwest corner of El Campo and Los Berros Roads, in the South County planning area. APN: 075-081-005. County File No. **S010102P/ CO 01-0399**. Supervisorial District 4.
- d. **Parcel Map CO 97-0021 (S970119P)** Request from **KMBG LTD/ VAUGHAN SURVEYS** for a **fourth time extension** for Vesting Tentative Parcel Map CO 97-0021, a subdivision of a 160 acre parcel into three parcels of 51.7, 54.0, and 54.3 each, in the Agricultural Land Use category. The site is located at 4255 and 4265 Adelaida Road, west of Highway 101 near the Hidden Mountain Road intersection, approximately 10 miles northwest of the City of Paso Robles, in the Adelaiada Planning Area. APN: 026-231-011. County File No. **S970119P/ CO 97-0021**. Supervisorial District 1.
- e. **LOT LINE ADJUSTMENT COAL 03-0139 (S020422L)** Request from **ROBIN ROSSI and GREG NESTER** for a **first time extension** for Lot Line Adjustment COAL 03-0139, to adjust the lot lines between two parcels of 162.7 and 155.1 acres each. The project is located off of Highway 58, east of the Highway 58 and Pozo Road intersection, approximately 2 miles east of Santa Margarita in the Salinas River planning area. APN: 070-157-005 & 006. County File No. **S020422L/ COAL 02-0139**. Supervisorial District 5.
- f. **Parcel Map CO 99-0078 (S990010P)** Request from **WESTON L. O'REILLY/ VAUGHAN SURVEYS** for a **fifth time extension** for Vesting Tentative Parcel Map CO 99-0078, to subdivide two existing 5 acre parcels into 4 parcels of 2.5 acres each. The project is Residential Suburban land use category at the south corner of Los Palos and Madrid Roads, south of Atascadero in the Salinas Planning Area. APN: 059-071-027. County File No. **S990010P/ CO 99-0078**. Supervisorial District 5.
- g. **Parcel Map CO 03-0198 (S020402P)** Request from **JIM CLARK** for a **first time extension** for Vesting Tentative Parcel Map CO 03-0198, to subdivide an existing approximately 20,102 square foot parcel into two proposed parcels of 10,785 square feet and 9,317 square feet each. The project is located 2385 Wilmar Ave., 125 feet west of the corner of Wilmar and 24<sup>th</sup> Street in the community of

	<p>Oceano, in the San Luis Bay (Inland) planning area. APN: 062-023-014. County File No. <b>S020402P/ CO 02-0198</b>. Supervisorial District 4.</p> <p>h. <b>Parcel Map CO 01-0374 (S010099P)</b> Request from <b>DAVID WILLIAMS/ SHERYL MANSKE of EDA</b> for a <b>first time extension</b> for Vesting Tentative Parcel Map CO 01-0374, to subdivide an existing 234.6 acre parcel into 11 parcels ranging from 20 acres to 34 acres each. The project is located on the west side of Highway 229 (Webster Road), approximately 5.0 miles south of the community of Creston in the rural El Pomar/ Estrella planning area. APN: 043-271-038. County File No. <b>S010099P/ CO 01-0374</b>. Supervisorial District 5.</p> <p>i. A request by <b>UNION PACIFIC RAILROAD</b> to create a 1.48 acres / 1.38 acres net (Parcel 1) lot, of an existing 3.14 acre site. The remaining public lot, Parcel 2, in public ownership (Union Pacific Railroad) will be 1.76 acres in size. The proposed project is in the Commercial Retail land use category and is located on Front Street, at the intersection with Beach Street, in the community of Oceano. The site is in the San Luis Bay inland Planning Area. A Class 5 categorical exemption ED05-057 was issued on August 5, 2005. APN: 062-118-001. County File No. <b>SUB2004-00350 / PL05-0059</b>.</p>
1. ROYAL AND BARBARA SCHIEFFER / SUB2004-00241	<p>This being the time set for hearing to consider a request by <b>ROYAL AND BARBARA SCHIEFFER</b> for a Tentative Parcel Map to subdivide an existing approximately one acre parcel into two parcels of 23,026 and 20,722 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Cienaga Street (Highway 1). The proposed project is within the Residential Single Family land use category and is located on the north side of Cienaga Street, approximately 125 feet east of Casitas Street, in the community of Oceano, in the San Luis Bay (Inland) Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Aesthetics, Public Services and Utilities, Noise and Recreation. <b>County File No: SUB2004-00241</b>. APN: 062-305-020. Supervisorial District 4.</p>
Stephanie Fuhs, staff	Presents staff report.
Bill Teiger, representing applicant	Discusses conditions 2a, 4a, and 8.
Richard Marshall, Public Works	Addresses condition concerns. Is comfortable with modification requested.
<b>MOTION</b>	<p>Thereafter on motion by Mr. Marshall, seconded by Mr. Nall, and carried to adopt the Negative Declaration in compliance with the applicable provision of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., granting Tentative Parcel Map CO 04-0588 / SUB2004-00241 based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B with the following changes; delete Condition 4a and re-letter. Modify Condition 8 so that the sentence reads, "the basin shall be designed to allow for historic flow from off-site (Christmas Tree Place and Casitas St.).", approved.</p>
2. CHRISTOPHER AND LORALEE KREGGER /	<p>This being the time set for hearing to consider a request by <b>CHRISTOPHER AND LORALEE KREGGER</b> for a Vesting Tentative Parcel Map (CO 03-0372) to subdivide two existing parcels of 2.98 and 1.63 acres into three 1.0 acre parcels and one 1.61 acre parcel for the purpose of sale and/or development. The proposed project is within the</p>

S030159P / CO 03-0372	Residential Suburban land use category and is located at 1918 J Street in the community of Santa Margarita. The site is in the Salinas River planning area. <b>County File Number: S030159P / CO 03-0372.</b> APN's: 069-133-030, and 034. Supervisorial District: 5. Date Accepted: December 27, 2004.
Michael Conger, staff	Presents staff report
James Caruso, staff	Discusses residential services, interior and exterior noise, and decibel levels.
Kami Griffin, staff	Suggests alternative language to condition 14P.
Jamie Kirk,	States satisfaction with condition.
James Caruso, staff	Discusses Condition 14M, and Condition 14P.
Richard Marshall, Public Works	Discusses Condition 14 and states this should be 15, and other conditions should be renumbered accordingly.
<b>MOTION</b>	Thereafter, on motion by Ms. Arlin-Genet, seconded by Ms. Salo, and carried, to adopt the Negative Declaration, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., granting Vesting Tentative Parcel Map CO 03-0372, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B with the modification to Condition 9 following the word "removed" adding "or bonded for removal." Delete Condition 14P, and re-number. Approved.
3. EUGENE H. BARRE JR, MICHAEL H. BARRE, AND SHANNON BENNETT / County File No: SUB 2004-00141 / CO 04-0375	This being the time set for a continued hearing to consider a request by <b>EUGENE H. BARRE JR, MICHAEL H. BARRE, AND SHANNON BENNETT</b> for a Tentative Parcel Map, using the Transfer Development Credit program to subdivide an existing 2.2 acre parcel into two parcels of 1 acre and 1.02 acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately zero square feet. The proposed project is located within the Residential Suburban land use category and is located at 12100 El Camino Real, approximately 300 feet from the southwest corner of Santa Barbara Road and El Camino Real, adjacent to the community of Atascadero. The site is in Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address biology, public services, recreation and wastewater. <b>County File No: SUB 2004-00141 / CO 04-0375.</b> APN: 059-331-013. Supervisorial District # 5. Date Accepted: December 12, 2004.
#3 Elizabeth Kavanaugh, staff	Presents staff report
Richard Marshall, Public Works	Requests clarification on Denial Findings item C.
John Nall, staff	Will participate in vote as he has studied project.
Pamela Jardini, agent	Provides handouts and gives a Power Point presentation. States handouts are letters written by persons in favor of project.
Laurie Salo, Environmental Health	Requests clarification on secondary dwellings, with agent responding.
John Nall, staff	Requests clarification on secondary dwelling boundaries and parcel size with staff and

	agent responding.
Laurie Salo, Environmental Health	Requests clarification regarding walking corridor with staff responding.
Richard Marshall, Public Works	Gives clarification.
<b>PUBLIC COMMENT</b>	
Jamie Kirk, agent	States she is in support of the TDC program and project.
Cory Flickinger	In support of project
Gene Barre, applicant	States he was the original applicant. In favor of project. Discusses parcel split and TDC's.
Shannon Bennett	Owner of the property. Is in favor of project. Discusses TDC's, proposed walkway, and requirements.
Scott Hallett	Resident of Atascadero. In favor of project. Addresses density, traffic, Barre property, and infrastructure needs.
Sandra Patterson	Atascadero resident. Supports project. Discusses growth, and TDC program.
Larry Patterson	In support of project. Discusses TDC program.
Justin Frederick	Atascadero resident. Supports project.
Kathryn Sweet	Atascadero resident. Discusses TDC receiver sites, secondary dwellings, water resources, roads, sewer treatment plant, emergency services, driveway access and traffic. Provides handout of SMAC minutes.
Eric Greening	Agrees with staff's recommendation. Discusses Negative Declaration, pedestrian circulation, and traffic circulation.
Steven Babcock	Private planner in support of project. Discusses TDC program and water resources
Alan Volbrecht	In support of project. Discusses lot size, proposed subdivision, zoning, planning area standards for project.
Chad Wittstrom	Paso Robles resident in support of project. Discusses TDC program, receiving sites, densities, and water consumption.
Pamela Jardini	Discusses density control.
Eric Greening	Discusses signalization, and responsibilities.
Elizabeth Kavanaugh, staff	Discusses density.
Kami Griffin, staff	Clarifies density question as not increasing density due to density being transferred. Discusses TDC ordinance, parcel sizes, minimum requirements to meet TDC requirements, and planning area standards.
John Euphrat, staff	Discusses TDC program in reference to this application.
Richard Marshall, Public Works	Discusses SMAC minutes and motion.
Laurie Salo	Discusses area planning standard TDC program and conflicting standards regarding

Environmental Health	different projects.
John Nall, staff	Discusses water resources and amendments to LUO regarding secondary dwellings, levels of services being impacted. States points made today are valid and is unsure if he can support a similar application of substandard size.
Richard Marshall, Public Works	Discusses public benefits regarding increased density. Suggests extending the A1X path.
Aeron Arlin-Genet, Air Pollution Control District	Requests clarification on where the path would run with Mr. Marshall responding.
John Nall, staff	Discusses concern regarding parcel not meeting minimum parcel size.
Discussion amongst members	Regarding TDC program.
Richard Marshall, Public Works	Requests clarification regarding the Negative Declaration with staff responding.
Jim Orton, County Counsel	States members have a tentative position on this project, and that this is under the discretion of the members' decision.
Discussion	Amongst members regarding changes in decision, or a continuance, or to bring back this item at a later date.
<b>TENTATIVE MOTION</b>	Thereafter on tentative motion by Mr. Marshall, seconded by Mr. Nall, with Ms. Arlin-Genet and Ms. Salo voting No, to discuss and bring project back later this afternoon with modifications specific to secondary dwellings including guest houses, modifying the improvement requirement that the trail be fronting the property and be extended to Santa Barbara Road and the cumulative considerable mandatory Findings of significance be amended and discussed. Approved
4. ROBIN MARKS / County File No: SUB2004-00109	This being the time set for hearing to consider a request by <b>ROBIN MARKS</b> for a Lot Line Adjustment to adjust the lot lines between parcels of 150.10 and 9.31 acres each. The adjustment will result in 2 parcels of 139.41 and 20.00 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agricultural land use category and is located at 8060 E. Highway 41, approximately 0.5 miles east of Cripple Creek Road and 1.25 miles northwest of the community of Creston. The site is in the El Pomar/Estrella planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. Mitigation measures are proposed to address Biological Resources, Aesthetics, and Agricultural Resources and are included as conditions of approval. <b>County File No: SUB2004-00109.</b> APN's: 035-111-016, -017; Supervisorial District: 1; Date Accepted: January 26, 2005.
Josh Lebombard, staff	Presents staff report.
Robin Marks, applicant	Discusses conditions.
Aeron Arlin-Genet	Requests clarification on why parcel size has changed with staff responding



<b>MOTION</b>	Thereafter on motion by Ms. Salo, seconded by Mr. Marshall, and carried to adopt the Negative Declaration in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., to grant the Lot Line Adjustment to Robin Marks for the above referenced item, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B with the following changes; change Condition number 12 to number 11. Approved
5. DAVID AND KATHY O'BRIEN / SUB 2004-00081	This being the time set for hearing to consider a request by <b>DAVID AND KATHY O'BRIEN</b> for a tentative parcel map to subdivide an existing 1.8-acre site of two parcels into three parcels of 20,275, 20,000 and 38,230 square feet each for the purpose of sale and/or development. The project will result in the disturbance of approximately 11,000 square feet of a 1.8-acre site. The division will create one on-site road. The proposed road name is Saltin Drive. The proposed project is within the Residential Single Family land use category and is located at 980 West Centre Street in the community of Shandon. The site is in the Shandon/Carrizo Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. Mitigation measures are proposed to address biological resources, hazardous materials, public services and recreation and are included as conditions of approval. County File Number: <b>SUB 2004-00081</b> . APN: 017-292-024. Supervisorial District: 1. Date Accepted: November 3, 2004
James Lopes, staff	Presents staff report.
Kami Griffin, staff	Lists changes to Page 5-12.
Larry Werner, agent	States all services are satisfactory to all requirements and he concurs with recommendations.
<b>MOTION</b>	Thereafter on motion by Mr. Marshall, seconded by Mr. Nall, and carried to adopt the Negative Declaration in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., granting a Tentative Parcel Map CO 04-0307, based on the Findings in Exhibit A as presented, and the conditions in Exhibit B, modifying condition 14 to make reference to the date, and re-numbering the second Condition 21 as needed. Approved.
6. Anderson Family Trust / SUB2004-00275	This being the time set for hearing to consider a request by the <b>ANDERSON FAMILY TRUST</b> for a Lot Line Adjustment to adjust the lot lines between two parcels of 78.86 and 43.39 acres each. The adjustment will result in two parcels of 82.25 and 40.0 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 6460 Cressey Street, adjacent to the community of Creston. The site is in the El Pomar planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address aesthetics, biological resources, public services and wastewater. <b>County File No: SUB2004-00275</b> . APN: 043-051-026. Supervisorial District: 5. Date Accepted: April 11, 2005.
Nick Forrester, staff	Presents staff report
John Nall	Discusses Negative Declaration not having the front page.
Tobey Osgood, agent	Is agreeable to everything in the staff report.
Eric Greening	Discusses page 6-29 "Mandatory Finding of Significance" Would like discussion on

	checkmarks.
John Nall, staff	Requests clarification on check marks.
Kami Griffin, staff	Clarifies checkmarks are required findings by CEQA.
James Caruso, staff	Discusses checkmarks on page 6-29 item 16b.
Staff and members	Discuss checkmarks and clarifications in the "Mandatory Findings" page.
Nick Forrester, staff	Presents members with fax received from Las Colinas Homeowners Association.
Jim Orton, County Counsel	Refers to letter with staff responding.
Kami Griffen, staff	Displays cover page to Negative Declaration and findings date to be June 28, 2005
<b>MOTION</b>	Thereafter on motion by Mr. Nall, seconded by Mr. Marshall, and carried, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and to grant the Lot Line Adjustment to the Anderson Family Trust based on the findings in Exhibit A, and subject to the Conditions in Exhibit B, changing Condition letter "U" to "R". Approved.
7. ERIC AND SHARI CLEVELAND / SUB2004-00212 / CO 04-0628	This being the time set for hearing to consider a request by <b>ERIC AND SHARI CLEVELAND</b> for a vesting tentative parcel map using the Transfer of Development Credits program to subdivide an existing 2.58 acre parcel into two parcels of 1.39 and 1.19 acres each for the purpose of sale and/or development. The project includes off-site road improvements to El Camino Real and Santa Clara Road. The project will result in the disturbance of approximately .6 acres of a 2.58 acre parcel. The proposed project is within the Residential Suburban land use category and is located on the northeastern side of El Camino Real, on the east corner of the El Camino Real and Santa Clara Road intersection, south of the city of Atascadero. The site is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. Mitigation measures are proposed to address biological resources, noise, public services, recreation and wastewater. <b>County File No: SUB2004-00212 / CO 04-0628.</b> APN: 059-051-005. Supervisorial District: 5. Date Accepted: May 10, 2005.
Nick Forrester, staff	Presents staff report.
Richard Marshall, Public Works	Discusses correctly numbering conditions, shared driveways, and Finding J. Suggests the A1X path be added.
John Euphrat, staff	Discusses noise impacts, mitigation measures, off site road improvements, and sending sites, with staff responding.
Laurie Salo, Environmental Health	Discusses high ground water and language changes with staff responding.
Nick Forester, staff	Gives clarification regarding reference to correspondence from the Santa Margarita Area Advisory Counsel (SMAC).
Pamela Jardini, Planning	Presents letters of approval and hands them out to members. Presents Power Point Presentation.



Solutions, agent	
Richard Marshall, Public Works, Pamela Jardini, Planning Solutions, agent, and staff	Discuss driveways and TDC's.
Shari Cleveland, applicant	Recites from letter referring to meetings held with several different agencies. Requests support of project.
Robert Lewin, CDF	Discusses driveways, and a named road installation.
PUBLIC COMMENT	
Charlie Witney	SMAC. Discusses error in SMAC minutes and letter presented to members. Discusses adding an easement, and recommendations to BOS regarding this issue.
Shannon Bennett	Discusses support of project.
Cory Flickinger	Discusses support of project.
Stephen Babcock	Discusses support of project.
Alan Albrecht	Discusses support of project.
Chris Volbrecht	Discusses support of project.
Chad Wittstrom	Discusses a net decrease in community density, negative impact in density, and is in support of this project.
Jamie Kirk	Resident of Atascadero. Discusses support of project and support of TDC program,
Dave Jenson	Mid Coast Geo Technical. Asked to perform percolation tests on site. Discusses drainage issues, improvement of gutter, in support of project.
Laurie Salo, Environmental Health	Discusses report from Mid Coast Geo Technical regarding drainage.
Kathryn Sweet	Atascadero resident. Discusses water, drainage, septic tanks, leach fields, and negative effects to community.
Eric Greening	Discusses "Mandatory Findings of Significance" and checkmarks made therein. Discusses cumulative impacts, septic issues, and water resources. Suggests this issue needs more discussion and should not be decided on today.
Pamela Jardini, agent	Discusses public benefits, retirement of a TDC density credit, secondary dwelling units, and a donation from Santa Margarita Tree Program.
Kami Griffin, staff	Gives clarifications and language to Condition changes. Responds to Mr. Greening's concerns regarding the Negative Declaration and refers to Page 7-29 under Public Services.
Richard Marshall, Public Works	Discusses access on roads.
John Euphrat	Discusses concerns brought forth by Mr. Greening.
John Nall	Would like the benefits to stay local.

<b>MOTION</b>	<p>Thereafter on motion by Mr. Marshall, seconded by Mr. Nall, with Ms. Arlin-Genet voting no, adopting the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq., granting a Vesting Tentative Parcel Map CO 04-0628 to Eric and Shari Cleveland based on the findings in Exhibit A, with a modification to finding J., specifying that this is less than one mile from the Atascadero Urban Reserve Line, and subject to the Conditions in Exhibit B, modifying Condition 2 to reference the A1X improvement. Condition 13 e. to be d. and adding a new e. and f. as follows:</p> <p>E. Secondary dwellings and guest houses shall not be allowed on all lots within the land division.</p> <p>F. All residential development shall occur within the designated building envelopes as shown on the recorded map.</p> <p>Re-numbering 14, 15, and 16 to be 15, 16, and 17. Adding a new number 18 and 19 to read as follows:</p> <p>18. <b>Prior to recordation of the final map</b>, the applicant shall release their ownership in the Receipt of Transfer or the Certificate of Sending Credits to the Department of Planning and Building. Acceptance of the release shall only occur if the credits are located in conformance with Section 22.24.090 of Title 22. The Director shall notify the TDC Administrator of the release and specify the registration numbers of the credits that were used. After release, the credits are no longer valid and available for use.</p> <p>19. Access shall be denied to parcels one and two from El Camino Real.</p> <p>Approved</p>
	Mr. Marshall, Public Works, leaving and Mr. Goodwin, Public Works, is taking his place.
8. Stephen Durnbaugh / SUB2004-00117 / CO 03-0366	<p>This being the time set for hearing to consider a request by <b>STEPHEN DURNBAUGH</b> for a tentative parcel map to subdivide an existing 5.47acre parcel into two parcels of approximately 2.51 and 2.81 acres each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located 14335 Morningside road approximately one mile south from the community of Atascadero. The site is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address population and housing, public services/utilities and recreation. <b>County File No: SUB2004-00117 / CO 03-0366.</b> APN: 059-221-017. Supervisorial District: 5. Date Accepted: January 8, 2005.</p>
Nick Forrester, staff	Presents staff report.
John Euphrat, staff	Requests clarification regarding this project being under the TDC program with staff responding that this project is not under the TDC program.
Pamela Jardini, agent	States she is in agreement with the staff report. Discusses access to the property on Morningside Drive, and offer of dedication on Pasadena Road.
Mike Goodwin, Public Works	Acknowledges a problem connecting the roads.
Nick Forrester	Discuss Pasadena Road.

staff and Katheryn Sweet	
Charlie Whitney	SMAC. In support of project.
Jim Orton, County Counsel	Addresses Ms. Sweet's discussion regarding improvements on Pasadena Road.
Laurie Salo, Environmental Health	Discusses limitations on TDC's.
James Caruso, staff	Discusses circulation system and proposes language for Conditions 2a and c.
Mike Goodwin, Public Works	Discusses paving road.
Aeron Arlin-Genet, Air Pollution Control District	States she will vote no as the project is inconsistent with the land use strategies as set forth in the APCD's clean air plan.
Pamela Jardini, agent	States she accepts the revised condition language and discusses a TDC overlay.

<b>MOTION</b>	<p>Thereafter on motion by Ms. Salo, seconded by Mr. Nall, with Ms. Arlin-Genet voting no, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., granting Tentative Parcel Map CO 03-0366 based on the findings in Exhibit A, and subject to the Conditions in Exhibit B, with the following underlined changes:</p> <ul style="list-style-type: none"> <li>a. Pasadena Road constructed to a 2/3 A-1 section within a 25 foot dedicated right-of-way <u>fronting the property</u>.</li> <li>b. Morningside Drive widened to complete an A-1 section fronting the property.</li> <li>c. Morningside Drive and Pasadena Road constructed to a 2/3 A-1 section from the property to a paved public road (minimum paved width to be 18 feet).</li> <li>d. <u>Pasadena Road constructed to a 2/3 A-1 section from the property to a paved public road (minimum paved width to be 18 feet) if offers of dedication exist from the property to a paved public road.</u></li> </ul> <p>Approved</p>
3. EUGENE H. BARRE JR, MICHAEL H. BARRE AND SHANNON BENNETT / SUB2004-00141 / CO 04-0375	Item revisited from morning session. Discussion takes place regarding a continuance of this item.
<b>MOTION</b>	Thereafter on motion by Mr. Nall, seconded by Mr. Goodwin and unanimously carried to continue Item 3. EUGENE H. BARRE JR, MICHAEL H. BARRE, AND SHANNON BENNETT to the October 3, 2005 SRB.
9. TEODORA AND GRACIANO PATAGUE / S030112C / C 03-0354.	<p>This being the time set for hearing to consider a request by <b>TEODORA AND GRACIANO PATAGUE</b> for a Conditional Certificate of Compliance / Coastal Development Permit for an approximately 2 acre lot that was created in violation of state and/or local ordinances. The lot created is located at the north end of Lariat Drive, approximately 1,000 feet north of Los Osos Valley Drive, approximately 1 mile east of the community of Los Osos, in the Residential Suburban land use category, in the Estero planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. Mitigation measures are proposed to address agriculture and water. <b>County File No: S030112C / C 03-0354.</b> APN: 074-222-002. Supervisorial District: 2. Date Accepted: February 4</p>
James Caruso, staff	Presents staff report for Murray Wilson.
John Euphrat, staff	Requests clarification on Condition No. 7
Mike Goodwin	Clarifies requirement for approval.

Public Works	
Shawna Sullivan	States the Patague's will have 375 feet of Agricultural buffer zone. Requests Quimby fees be deleted.
Steve Hacker	Discusses Certificate of Compliance, map, and approval of project.
James Caruso, staff, County Counsel, and board members.	Discusses Quimby fees, and Agricultural buffer requirements.
<b>MOTION</b>	Thereafter on motion by Mr. Nall, seconded by Mr. Goodwin and carried to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and grant a Certificate of Compliance/Coastal Development Permit based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B. Approved.
10. Bruno Bornino/SUB2003-00115/CO 03-0231	This being the time set for hearing to consider a request by <b>BRUNO BORNINO</b> for a Vesting Tentative Parcel Map to subdivide an existing 4.38 acre parcel into three parcels of 1.37 acres for proposed parcel one, 1.22 acres for proposed parcel two, and 1.79 acres for proposed parcel three. The purpose of this subdivision is for the sale or lease of the new parcels. The project includes an existing improved road, and no new roads or offsite road improvements will be installed with this project approval. There will be no grading with this approval and no cubic yards of material removed. The project is within the Industrial land use category and is located at 2115 Willow Road, directly east (approx 0.89 miles) of the intersection of Sheridan Road and Highway One, approximately five miles southeast of the community of Oceano in the South County (Coastal) planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. <b>County File No: SUB2003-00115 / CO 03-0231</b> . APN: 091-192-031. Supervisorial District 4. Date Accepted: January 4.
Ryan Hostetter, staff	Presents staff report. Provides board members with revised conditions.
John Euphrat	Discusses second map sheet, and Condition 9 regarding underground and overhead utilities.
Ben Madalena	Representing Bornino. Discusses map condition and cultural resources with staff responding that Condition 10C will satisfy these concerns.

**MOTION**

Thereafter on motion by Ms. Arlin-Genet, seconded by Mr. Nall, and carried to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq, granting the Vesting Tentative Parcel Map based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B, with a change to Condition 11 under 'Miscellaneous' removing "sewer" and replacing it with "septic". Changing Condition 13 as follows:

3. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

- A. **At the time of application submittal for development of proposed parcels one and/or two**, the applicant shall submit a traffic study/sight distance analysis for access on to Highway 1. The analysis shall be reviewed and approved by Cal Trans and County Planning. The applicant shall implement any necessary road improvements as approved by Cal Trans and County Planning prior to finalization of development permits for parcels one and/or two.

Adding new Condition 14, 15, and 16 as follows:

**Fire**

14. The proposed project must be in compliance with CDF/San Luis Obispo County fire requirements including those outlined in the CDF/SLO County Fire letter dated 4/22/2004.

15. **Prior to recordation**, the access road must be named and addressed to county standards.

16. The road shall be a minimum of 20' wide with "no parking signs" installed. If on street parking is desired, then additional width is required in compliance with CDF/San Luis Obispo County fire standards.

Approved.

11. Chad  
Wittstrom /  
S030203X / CO  
04-0530 /  
PMT2004-02914

This being the time set for hearing to consider a request by **CHAD WITTSTROM** for a Vesting Tentative Parcel Map (**CO04-0530**) and grading permit to allow for a subdivision and subsequent development of a 26.39 acre site into four lots ranging in size from 5.03 acres to 7.06 acres and approval of as-built grading for a corral of approximately 10,000 cubic yards. Development includes construction of one access road, a creek crossing and drainage improvements and will result in site disturbance of approximately 80,000 square feet. The project is in the Residential Rural land use category and is located on the southwest portion of the intersection of Baggins Hill Road and south of South El Pomar Road, approximately 5.0 miles northeast of the city of Atascadero, in the El Pomar-Estrella planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address aesthetics, biological resources wastewater, air quality, geology and soils. **County File Numbers: S030203X / CO 04-0530 / PMT2004-02914.** APN: 034-331-035 Supervisorial District: 1 Date



	Accepted: February 27, 2005.
James Caruso, staff	Presents staff report.
John Nall	Discusses crossing and parcel size with staff responding.
James Caruso, staff	Clarifies that minimum parcel size is 5 acres.
John Euphrat and staff	Discuss neighborhood character description, and site disturbances.
Jamie Kirk, agent	Compliments staff on presentation. Discusses density bonus for the TDC program, neighborhood opposition to smaller parcel sizes, TAG approval of project, access to creek crossing. Requests approval of project.
Laurie Salo, Environmental Health	Requests clarification regarding 50 foot setback on creek with agent responding. Discusses wells on parcels 3 and 4 and 100' setback requirements.
Board members, James Caruso, and Jamie Kirk	Discuss building control line on parcels 3 and 4.
Chad Wittstrom, applicant	Discusses septic and well placement, setbacks, and easements for public utilities.
Olivia Wittstrom	Discusses concessions made requested by the neighborhood.
Stephen Babcock	Discusses project and requests approval.
Bill White	Questions five mile test, a 4.5 mile route, slope test, fire test, well production, setting a precedent by reducing parcel size.
Lezlie Labhart	Would like proposal rejected. Discusses cumulative impacts on area, increased density, traffic, water resources, overhead power, aesthetics, lack of Fish and Game report, emergency fire service, adjacent property, slope, location of wells with respect to septic tanks, use of Baggins Hill Road and increase in traffic.
Joe Calucci	Discusses opposition to project.
Mark Torry	Discusses opposition to project.
Jim Olesnanik	Discusses opposition to project.
John Nall, staff	Requests clarification on how deep Mr. Olesnanik's well is with a response of 250 feet.
Mary Rigler	Displays map of area which comes from county maps and planning. This map clarifies sizes of parcels. Discusses opposition to project
LynnDee Althouse	Displays Power Point presentation.
Stewart Cameron	In support of project.
Jonathon Shadel	In support of project.
Gordon Hensley	Would like this project denied.
Jamie Kirk, agent	Addresses remoteness test, Oak tree mitigation, visual impacts, rural character, El Pomar area plan standard, and letter from the APCD.
John Nall, staff	Discusses Oak tree removal/replacement for future development of site and production of

	wells.
John Euphrat, staff	Requests clarification regarding secondary dwellings with agent responding to limitations on area.
Chad Wittstrom, applicant	States he is willing to limit one dwelling to parcels 1, 3 and 4.
Board members, staff, and agent	Discuss well production.
John Euphrat, staff, James Caruso, staff, John Nall, staff	Discusses closest Urban Reserve Line, El Pomar area plan, aesthetics, slope in area of project as opposed to El Pomar, minimum parcel size, and 10 acre parcel sites.
John Nall, staff	States concerns for water availability. States this board has no basis to deny this project.
Robert Lewin, CDF	Discusses meeting with neighbors regarding this project, dead end road issues, and water systems. States project meets CDF requirements.
John Euphrat, staff	States he feels the issues proposed by the opposition have been addressed.
Aeron Arlin-Genet, Air Pollution Control District	States this is a precedent setting project
Board members and staff	Discuss precedent setting involved with this project, and limitation on number of residences.
Aeron Arlin-Genet	States this rule fractures rural lands and fosters dependence on the automobile which generates pollution and therefore will have to vote in opposition to this proposal.

<b>MOTION</b>	<p>Thereafter on motion by Mr. Nall, seconded by Mr. Goodwin, with Ms. Arlin-Genet voting no, to adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq, granting Vesting Tentative Parcel Map CO04-0530 based on the Findings in Exhibit A and subject to the Conditions in Exhibit B with the following changes: Add Condition 5</p> <p>5. Parcels 3 and 4 shall pay their fair share for maintenance of the Baggins Hill Road easements.</p> <p>Re-number Add Condition 24 c. d, and e as follows:</p> <p>b. Secondary dwellings shall not be allowed on Parcels 1, 3, and 4.</p> <p>c. An agricultural buffer prohibiting residential structures consisting of single family residences and residential accessory uses shall be shown on the additional map sheet.</p> <p>d. The agricultural buffer shall become null and void on individual parcels within the subdivision if the adjacent agricultural land use category has changed.</p> <p>e. The agricultural buffer shall become null and void on individual parcels within the subdivision if the adjacent agricultural land use category has changed.</p> <p>Approved</p>
<b>AMENDING MOTION</b>	To move new Condition 5 into the additional map sheets section of the Conditions of approval. Approved
12. MARY MATAKOVICH / SUB2004-00379 / CO 05-0183	<p>This being the time set for hearing to consider a request by <b>MARY MATAKOVICH</b> for a Vesting Tentative Parcel Map (CO05-0183) / Coastal Development Permit to subdivide an existing 8,083 square foot parcel into three parcels of 1,478, 1,345, 1,618 square feet each for the purpose of sale and development and one common lot of 3,642 square feet and construction of three residential dwelling units of 1,645 square feet each. The project will result in the disturbance of approximately 6,640 square feet of an 8,083 square foot parcel. The proposed project is within the Residential Multi-Family land use category and is located at 250 Laurel Street, in the community of Avila Beach, in the San Luis Bay (Coastal) planning area. This project is consistent with the Avila Beach Specific Plan EIR. <b>County File Number: SUB2004-00379 / CO 05-0183.</b> APN: 076-201-078. Supervisorial District: 2. Date Accepted: May 24, 2005.</p>
James Caruso, staff	Presents staff report.
John Euphrat, staff	Discusses 18 foot wide road
Rob Lewin	Would like to change the width to 20 feet with "No Parking" signs.

<b>MOTION</b>	Thereafter on motion by Ms. Arlin-Genet, seconded by Mr. Nall, and carried, granting Vesting Tentative Parcel Map CO05-0183 / Coastal Development permit based on the Findings in Exhibits A and C, and subject to the conditions in Exhibits B and D, modifying Exhibit B, 1. a. Adding "No Parking" signs installed. In Exhibit D. the word "street" is added after Laurel. Change 18 foot minimum to 20 foot minimum with "No Parking" signs installed, and Condition 9 to change "overhead utilities" to "underground utilities". Approved.
13. GARY KARNER / SUB2004-00371 / COAL 05-0180	This being the time set for hearing to consider a request by <b>GARY KARNER</b> for a Lot Line Adjustment/Coastal Development Permit to adjust the lot lines between three parcels of 2,272, 2,757 and 18,612 square feet each. The adjustment will result in two parcels of 9,180 and 14,461 square feet each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Single Family and Recreation land use categories and is located at 354 Mitchell Drive in the community of Los Osos, in the Estero Planning Area. This project is exempt under CEQA. <b>County File No: SUB2004-00371 / COAL 05-0180.</b> APN: 074,081,034. Supervisorial District: 2. Date Accepted: August 4, 2005.
Mike Wulkan, staff	Presents staff report.
Aeron Arlin-Genet, Air Pollution Control District	Requests clarification on Condition 2.
Mike Wulkan, staff	Discusses planned sewer system.
Bob Simonson	Representing applicant. States there are sewer assessments purchased for both residences.
Jim Orton, County Counsel	Discusses lateral access easements and concerns due to Coastal Commission. Discusses provisions for Lot Line Adjustments.
Bob Simonson	States there is no lateral access requirement. Requests board to give him a continuance so he can speak with the applicant regarding the lateral access easement.
<b>MOTION</b>	Thereafter on motion by Mr. Goodwin, seconded by Mr. Nall to continue this item to the October 3, 2005 SRB at the applicant's request is unanimously carried.
<b>ADJOURNED</b>	There being no further business the meeting is adjourned to October 3. 2005.

Respectfully submitted,  
 Ramona Hedges